



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,811	03/13/2001	Saburo Uehara	A-392	2890

802 7590 10/21/2002

DELLETT AND WALTERS
310 S.W. FOURTH AVENUE
SUITE 1101
PORTLAND, OR 97204

EXAMINER

BARAN, MARY C

ART UNIT	PAPER NUMBER
----------	--------------

2857

DATE MAILED: 10/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,811

Applicant(s)

UEHARA, SABURO

Examiner

Mary Kate B Baran

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the phrase, "are disclosed whereby" can be implied. Correction is required. See MPEP § 608.01(b).
2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 4, the applicant claims the limitation "a fifth step of calculating a difference between said pass value and said fail value" (page 19, claim 4, fifth step). It is unclear if the "said pass value" and the "said fail value" are the upper and lower limits of the test range, as noted in claim 4, first step, or if they are the "said pass value" and "said fail value", as noted in claim 4, fourth step.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohara (U.S. Patent No. 5,978,573).

Referring to claim 1, Ohara discloses a semiconductor device testing apparatus (see Ohara, col. 13 lines 16-18) that detects a pass/fail threshold within a prescribed test range for a semiconductor device based on a binary search method (see Ohara, col. 13 lines 3-7), comprising, an initial value setting unit for setting either an upper-limit value or a lower-limit value of said test range as a pass value (see Ohara, col. 13 lines 16-26), and the other limit value as a fail value (see Ohara, col. 13 lines 16-19), and a device measuring unit for taking measurements using the binary search method (see Ohara, col. 13 lines 3-7) on said semiconductor device with the said set pass value and said set fail value (see Ohara, col. 13 lines 35-46).

Referring to claim 2, an initial value changing unit for changing at least one of said pass value and said fail value set by said initial value setting unit so that said test range is extended by an amount equivalent to a prescribed value (see Ohara, col. 16 lines 39-42), wherein said device measuring unit performs said measuring using said

Art Unit: 2857

pass value and said fail value after the value has been changed by said initial value changing unit (see Ohara, col. 13 lines 35-43).

Referring to claim 3, said prescribed value is equivalent to a measurement resolution (see Ohara, col. 16 lines 39-42 and Figures 28a-c).

Referring to claim 4, Ohara discloses a semiconductor device test method for detecting a pass/fail threshold within a prescribed test range for a semiconductor device based on a binary search method (see Ohara, col. 13 lines 3-7), comprising a first step of setting either an upper-limit value of a lower-limit value of said test range as a pass value and the other limit value as a fail value (see Ohara, col. 13 lines 16-26), a second step of setting a measurement position in accordance with the binary search method, using said pass value and said fail value (see Ohara, col. 13 lines 29-31), a third step of performing a prescribed measurement on said semiconductor device at said measurement position set in said second step (see Ohara, col. 13 lines 30-34), a fourth step of setting said measurement position set in said second step as said pass value if the measurement result obtained in said third step is a pass, or setting said measurement position set in said second step as said fail value if said measurement result is a fail (see Ohara, col. 13 lines 35-43), and a fifth step of calculating a difference between said pass value and said fail value after a processing in said fourth step is completed (see Ohara, col. 13 lines 44-46), and giving a command to repeat the

Art Unit: 2857

processing from said second step onward until this difference is equal to or less than a measurement resolution (see Ohara, col. 13 lines 43-47 and lines 26-29).

Referring to claim 5, Ohara discloses extending said test range by an amount equivalent to a prescribed value (see Ohara, col. 16 lines 39-42), and sets said pass value and said fail value corresponding to the upper-limit value and lower-limit value of that range (see Ohara, col. 13 lines 16-26).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Thompson et al. teaches a measurement method and system.

Takagi et al. teaches a semiconductor device.

Tran et al. teaches a remote data access and management system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Kate B Baran whose telephone number is (703) 305-4474. The examiner can normally be reached on Monday - Friday from 8:00 am to 5:00 pm.

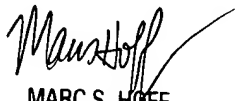
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S Hoff can be reached on (703) 308-1677. The fax phone numbers for

Art Unit: 2857

the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

MKB
September 25, 2002


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800